

REMARKS

Please reconsider the application in view of the above amendments and the following remarks. Applicants thank the Examiner for carefully considering this application and for courtesies extended during the Examiner Interview conducted on September 24, 2007.

Disposition of Claims

Claims 1-11, 13-15, and 17-22 are currently pending in this application. Claim 16 has been canceled by this reply. Claims 1, 13, 21, and 22 are independent. The remaining claims depend, directly or indirectly, from claims 1 and 13.

Claim Amendments

The independent claims have been amended to clarify the invention. Support for the aforementioned amendments to the claims may be found, for example, in Figure 3 and paragraphs [0032]-[0033] and [0045] of the Specification. Further, claim 16 has been canceled without prejudice or disclaimer. Finally, claim 14 has been amended to address an antecedent basis issue arising from the amendment of independent claim 13. No new subject matter is added by way of these amendments.

Rejections under 35 U.S.C. § 103

Claims 1-11 and 13-22 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Publication No. 2002/0161972 ("Talagala I") and U.S. Publication No. 2004/0024963 ("Talagala II") in view of U.S. Publication No. 2004/0123063 ("Dalal") and U.S. Publication No.

2004/0225834 ("Lu"). Claim 16 has been canceled by this reply. Accordingly, this rejection is now moot with respect to canceled claim 16. To the extent that this rejection may still apply to the amended claims, this rejection is respectfully traversed.

The independent claims have been amended to clarify that blocks (*e.g.*, data blocks, indirect blocks, and parent blocks) for a single file may be written to the storage pool using different dynamic striping policies. Particularly, the amended independent claims now recite that (i) data blocks (*i.e.*, blocks on a first hierarchical level of a tree structure that represent a file (*see* Specification, Figure 3 and accompanying text)) are stored using a first dynamic striping policy, and (ii) an indirect block, which references the aforementioned data blocks, is stored using a different dynamic striping policy.

Turning to the cited prior art, with respect to Talagala I, the Examiner admits that Talagala I fails to teach storing indirect blocks comprising data block locations and data block checksums using a dynamic striping policy (*see* Office Action mailed June 29, 2007, page 6). In addition, it logically follows that Talagala I fails to teach or suggest storing two data blocks and an indirect block associated with a *single file* with *different* dynamic striping policies. Talagala I also fails to teach or suggest that the indirect block comprises block pointers that reference the first and second data blocks. In fact, Talagala I is completely silent with respect to a hierarchical tree structure representing the organization and storing of multiple files in the storage pool, as required by the amended independent claims.

Moreover, Talagala II fails to supply that which Talagala lacks. Specifically, the Examiner relies on Talagala II for the purpose of disclosing storing indirect blocks comprising data block locations and data block checksums using a second dynamic striping policy (*see* Office Action

mailed June 29, 2007, page 6). However, the cited portion of Talagala II discloses that “metadata chunks M1 through M7 are evenly distributed across the disk drives 202 through 208.” The metadata chunks of Talagala II are distinct from the indirect blocks of the claimed invention. Specifically, Talagala II fails to teach or suggest that the metadata chunks include block pointers that reference the data blocks associated with the *same file* and stored in the storage pool. In fact, the cited portion of Talagala II does not contemplate that the metadata chunks and the data stripe unit, which is the data entity about which metadata is stored in the metadata chunks, are part of the same file (*see* Talagala II paragraph [0002], page 1). Thus, it is not possible for Talagala II to teach or suggest the file hierarchy claimed in the amended independent claims.

Further, even assuming, *arguendo*, that the metadata chunks of Talagala II are equivalent to the indirect blocks of the claimed invention, Talagala II fails to teach or suggest that the metadata chunks are stored using a *different dynamic striping policy* than the data blocks which they reference. At best, Talagala II discloses that the metadata chunks are stored using some form of data striping (*see* Talagala II, paragraph [0040]).

Finally, as discussed during the Examiner Interview of September 24, 2007, no mention is made in Talagala II of storing both the data stripe unit and the metadata chunks using distinct dynamic striping policies, as required by the amended independent.

Further, Dalal and Lu fail to supply that which Talagala I and Talagala II lack. This is evidenced by the fact that the Examiner relies on Dalal solely for the purpose of teaching the various types of dynamic striping policies recited in the amended independent claims (*i.e.*, policies based on physical disk speed, free space available, load, and round robin) (*see* Office Action mailed June 29, 2007, pages 6-7). Further, the Examiner relies on Lu solely for the purpose of disclosing

an *updated* dynamic striping policy (*see* Office Action mailed June 29, 2007, pages 6-7). Thus, both Dalal and Lu are completely silent with respect to a storing both data blocks and indirect blocks, which are part of the same file, *using different dynamic striping policy*.

In view of the above, it is clear that Talagala I, Talagala II, Dalal and Lu, whether considered separately or in combination, fail to render amended independent claims 1, 13, 21, and 22 obvious. Thus, amended independent claims 1, 13, 21, and 22 are patentable over Talagala, talagala, Dalal, and Lu. Further, dependent claims are patentable for at least the same reasons. Accordingly, withdrawal of this rejection is respectfully requested.

Conclusion

Applicants believe this reply is fully responsive to all outstanding issues and places this application in condition for allowance. If this belief is incorrect, or other issues arise, the Examiner is encouraged to contact the undersigned or his associates at the telephone number listed below. Please apply any charges not covered, or any credits, to Deposit Account 50-0591 (Reference Number 03226/393001).

Dated: September 27, 2007

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